

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LAWRENCE MACKEN,

Plaintiff,

VS.

SPOKANE COUNTY (MUNICIPAL JAIL), JOHN MCGRATH, LIEUTENANT TYLER, SERGEANT PURCELL, and SCOTT BAUM.

Defendants.

NO: CV-11-400-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING FIRST AMENDED
COMPLAINT IN PART

Magistrate Judge Hutton filed a Report and Recommendation on April 10,

2012, recommending Mr. Macken's First Amended Complaint be dismissed in part as Plaintiff failed to allege any claims against Defendant Ozzie Knezovich. There being no objections, the Court **ADOPTS** the Report and Recommendation. **IT IS ORDERED** the First Amended Complaint, ECF No. 35, is **DISMISSED in part without prejudice**. The District Court Executive shall **TERMINATE** Defendant Ozzie Knezovich from this action and **REMOVE** his name from the caption of the

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1 First Amended Complaint. This action is referred back to Magistrate Judge
2 Hutton for the purpose of directing service of process of the remaining claims.

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
4 Order and forward a copy to Plaintiff.

5 **DATED** this 1st day of May 2012.

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7 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
8 Chief United States District Court Judge
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